

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ANDREW R. MAY, On Behalf of Himself and All  
Others Similarly Situated,

Plaintiff,

vs.

TELIK, INC., MICHAEL M. WICK, CYNTHIA M.  
BUTITTA, UBS SECURITIES LLC, LEHMAN  
BROTHERS HOLDINGS, INC., BEAR, STEARNS &  
CO., INC., NEEDHAM & COMPANY, INC., LAZARD  
FRERES & CO. LLC, FORTIS SECURITIES, INC. and  
J.P. MORGAN SECURITIES, INC

Defendants.

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) Civil No. 1:07-CV-04819-CM

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) CLASS ACTION

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) ELECTRONICALLY FILED

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KEVIN HENNESSY, Individually and On Behalf of  
All Others Similarly Situated,

Plaintiff,

vs.

TELIK, INC., MICHAEL M. WICK, CYNTHIA  
M. BUTITTA, UBS SECURITIES LLC, LEHMAN  
BROTHERS HOLDINGS, INC. and J.P. MORGAN  
SECURITIES, INC.

Defendants.

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) Civil No. 1:07-CV-5707-CM

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) CLASS ACTION

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**NOTICE OF WITHDRAWAL OF MOTION OF  
ERSTE-SPARINVEST KAPITALANLAGEGESELLSCHAFT  
M.B.H. FOR CONSOLIDATION, APPOINTMENT AS LEAD  
PLAINTIFF, AND APPROVAL OF ITS SELECTION OF COUNSEL**

PLEASE TAKE NOTICE that institutional investor Erste-Sparinvest

Kapitalanlagegesellschaft m.b.H. ("Erste-Sparinvest") hereby withdraws its Motion for

Consolidation, Appointment as Lead Plaintiff, and Approval of Its Selection of Counsel, filed with this Court on August 6, 2007.

Respectfully submitted this 17th day of August, 2007.

s/ Daniel P. Chiplock  
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